

THE HONORABLE JOHN H. CHUN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

FEDERAL TRADE COMMISSION, *et al.*,

Plaintiffs,

v.

AMAZON.COM, INC., a corporation,

Defendant.

CASE NO.: 2:23-cv-01495-JHC

**PLAINTIFFS' NOTICE OF  
SUPPLEMENTAL AUTHORITY**

Pursuant to W.D. Wash. LCR 7(n), Plaintiffs submit for the Court's consideration as supplemental authority in support of their opposition to Amazon's motion to dismiss (Dkt. #149) the attached recently issued decision in *District of Columbia v. Amazon.com, Inc.*, \_\_\_ A.3d \_\_\_, No. 22-cv-0657 (D.C. Aug. 22, 2024). The parties have agreed that the *District of Columbia* case involves all or a material part of the same subject matter and all or substantially the same parties as this action. JSR at 39 (Dec. 15, 2023), Dkt. #135. The District of Columbia Court of Appeals held that the District alleged sufficient facts to overcome Amazon's motion to dismiss, including by plausibly alleging anticompetitive effects from the Amazon policies challenged in the District's complaint. *District of Columbia*, slip op. at 15-19, 23-24. The Court of Appeals therefore reversed the trial court's dismissal of the District's complaint.

Dated: August 23, 2024

Respectfully submitted,

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